IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CIVIL WRIT PETITION NO. 5082 OF 2005

DATE OF DECISION: March 08, 2007

Parties Name

Ved Parkash

..PETITIONER

VERSUS

S.C.O. and others

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASBIR SINGH
HON'BLE MR. JUSTICE NIRMAL YADAV

PRESENT: Mr. P.S. Jammu,
Advocate, for the petitioner.

Mr. Harish Rathee, Sr. D.A.G., Haryana;

Mr. Rakesh Gupta, Advocate, for
respondents No. 4 and 5.

JASBIR SINGH, J. (oral)

Order.

Dispute in this writ petition pertains to fixing of turn of water. In such like matters, canal authorities are the best judge and this Court is not supposed to sit as a Court of Appeal unless the findings are contrary to the law and facts on record. Vide impugned orders, turn of water of respondent No. 1 was fixed at the end. We have seen the site plan Annexure R5/1. It is apparent therefrom that the land of the petitioner falls in Khata No. 133 and that of respondent No. 5 in Khata Nos. 135 and 136. Admittedly, land owned by respondent No. 5 comes after the land of the petitioner. Otherwise also, if the turn of water is fixed, as claimed by the petitioner, respondent No. 5 will have to bifurcate his turn of water in two parts for

irrigation of his land falling in Khata Nos. 135 and 136. No case is made out for interference. Dismissed.

(Jasbir Singh)
Judge

(Nirmal Yadav)
Judge

March 08, 2007.
DKC